IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 9844 of 2005

Between:

1 Kande Venkata Harinath Gupta S/o. K.V. Kondaiah Setty
R/o. H.No. 3/551/C, Rojakunta Street, Nandyal, Kurnool District.
2 Kande Venkata Rama Devi W/o. Kande Venkata Harinath Gupta
R/o. H.No. 3/551/C, Rojakunta Street, Nandyal, Kurnool District.

... PETITIONERS

AND

1 The Sub-Registrar, Registration & Stamps Department, Nandyal, Kurnool

District.
2 The District Registrar, Registration & Stamps Department, Kurnool.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction mostly one which is in the nature of writ of Mandamus declaring the inaction of the 2nd respondent in passing appropriate orders on application No.1/97 filed by the petitioners as illegal, irregular, unconstitutional, unreasonable, unjustified and unsustainable and direct the 2nd respondent to forthwith pass appropriate orders on the application declaring that the sale deed executed on 26.6.1997 is liable for registration by the 1st respondent.

Counsel for the Petitioners: MR.P.VEERA REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following:

ORDER:

This writ of petition is filed seeking a Writ of Mandamus declaring the inaction on the part of the second respondent in passing appropriate orders on application made by the petitioners under Section 73 of the Registration Act, 1908, as arbitrary and illegal.

The petitioners state that aggrieved by the order of the first respondent dated 14-11-1997 refusing to register the sale deed presented by them, they made the Application No.1/97 on
11-12-1997 under Section 73 of the Registration Act before the second respondent. Their only grievance is that the second respondent has kept the said application pending without there being any justifiable reason, for the past about seven years. Hence, this writ petition.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for the respondents.

The learned Government Pleader states that the application in question will be considered and disposed of by the second respondent in accordance with law.

Accordingly, the writ petition is disposed of with a direction to the second respondent to dispose of the application No.1 of 1997 filed by the petitioners and pass appropriate orders, in accordance with law, as expeditiously as possible preferably within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of. No order as to costs.

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G. ROHINI, J

Dated: 27-04-2005

Note: Furnish C.C. in a week

B/o.

LSK

To

1 The Sub-Registrar, Registration & Stamps Department, Nandyal, Kurnool District.
2 The District Registrar, Registration & Stamps Department, Kurnool.